



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
JACKSONVILLE DISTRICT CORPS OF ENGINEERS  
COCOA REGULATORY OFFICE  
400 HIGH POINT DRIVE, SUITE 600  
COCOA, FLORIDA 32926

DEC 17 2008

Regulatory Division  
North Permits Section  
SAJ-2003-5223(IP-AWP)  
**MODIFICATION 1**

Florida Department of Transportation, District 2  
Attn: Van Humphreys  
1109 S. Marion Ave.  
Lake City, Florida 32025

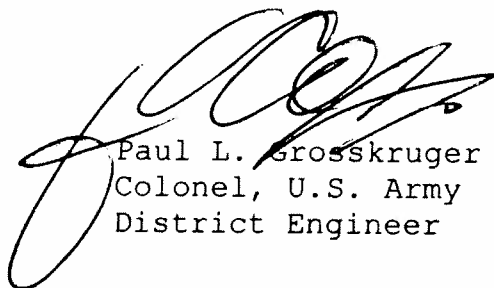
Dear Mr. Humphreys:

This letter is in reference to your request for a modification of Department of the Army permit (DA) SAJ-2003-5223(IP-AWP) issued to the Florida Department of Transportation for the replacement of the County Road 209 - Black Creek Bridge, FPN 211560-2-31-01.

By copy of this letter the U.S. Army Corps of Engineers is granting your request to modify the location of pond number 2 and the additional impacts to 0.12 acres of waters of the United States, wetlands which would occur when constructed. All conditions, limitations, and stipulations of permit number SAJ-2003-5223(IP-AWP) remain in effect and will expire on August 14, 2013.

Thank you for your cooperation with our permit program.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:



Paul L. Grosskruger  
Colonel, U.S. Army  
District Engineer

cc: Hannah Hernandez (electronically)  
CESAJ-RD-P

DEC 17 2008

**MEMORANDUM FOR RECORD**

SUBJECT: Supplement to the Department of the Army Environmental Assessment and Statement of Findings for the Above-Numbered Permit Application.

**1. Applicant:** Florida Department of Transportation, District 2  
Attn: Van Humphreys  
1109 S. Marion Ave.  
Lake City, Florida 32025

**2. Reason for supplement:** The applicant received a Department of the Army (DA) permit number SAJ-2003-5223(IP-AWP), to impacts to 2.58 acres of waters of the United States (wetlands) for the widening of the CR 209 from two lanes to three lanes from just south of John Boy Creek north to the existing three lane section at Fireside Drive. The applicant conducted a financial cost assessment which evaluated tax base funding as well as the ecological value of alternative pond sites. The previously authorized pond site straddled two parcel boundaries and would require the applicant to purchase a portion of both properties. Additionally, the current design requires the "taking" (removal) of an existing business. The applicant proposes to utilize an alternative pond site which will impact 0.12 acre of waters of the United States (wetlands). The utilization of this site will cost tax payers half as much as the previously authorized pond site. No business will be "taken" as a result of this alternative.

**3. Original Authorized Project:** The Corps authorized impacts to 2.58 acres of waters of the United States (wetlands) for the widening of the CR 209 from two lanes to three lanes from just south of John Boy Creek north to the existing three lane section at Fireside Drive, approximately one mile on 14 August 2008. The project will include the removal of the existing two lane bridge across Black Creek and construction of a new urban type bridge on the existing alignment. A temporary bridge, constructed to the west of the existing alignment, will be utilized to maintain traffic during construction. The roadway improvements will result in an undivided three-lane urban roadway with 12'-wide travel lanes, 16'-wide shoulders, and 5'-wide sidewalks.

**4. Existing Conditions:** The Corps conducted a field review of the alternative site on 12 November 2008. During this review the Corps did not observe sufficient hydrologic indicators nor soils

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**SUBJECT:** Supplement to Department of the Army Environmental Assessment and Statement of Findings for the Above-Numbered Permit Application.

to concur with the wetland line delineated by the SJRWMD. The Corps reduced the wetland limits to meet the criteria defined in the 1987 wetland delineation manual.

The site is comprised of improved pasture which is routinely maintained. The site exhibits topographic relief which directs water and ground water to a drainage ditch which parallels the northern boundary of the site. The Corps has determined a wetland fringe parallels this ditch.

**5. Endangered Species:** Due to the size, maintained nature, and adjacent development of the site it is unlikely that federally listed species would utilize the subject site. The U.S. Army Corps of Engineers (Corps) has determined the proposed modification will have no impacts to federally listed species.

**6. Essential Fish Habitat (EFH):** Based on the subject sites location within the landscape and distance from tidally influenced waters the Corps has determined that the proposed modification will have no impacts to EFH.

**7. Mitigation:** No additional mitigation will be required. The previously authorized project will utilize the 2008 St. Johns River Water Management District Senate Bill Mitigation Plan. A diminimus amount of additional functional loss may occur. The additional mitigation provided to the SJRWMD will off-set any additional impacts. Further, the construction of a stormwater pond site at this location will provide foraging habitat and water quality improvement within the area.

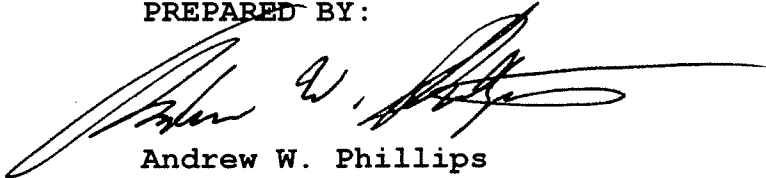
**8. Special Conditions:** No additional special conditions are required.

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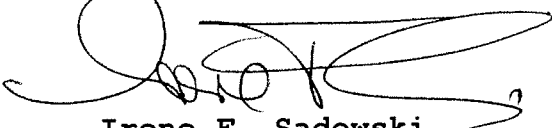
**9. Determination:** I have reviewed all the pertinent information and have concluded that the determinations of the permit evaluation are still valid and there have been no significant changes in the circumstances surrounding this permit since the final determination was made. Therefore, the conclusion that the permit is not contrary to the public interest, that it complies with the 404(b)(1) Guidelines, and that an Environmental Impact Statement is not required is still valid.

**PREPARED BY:**



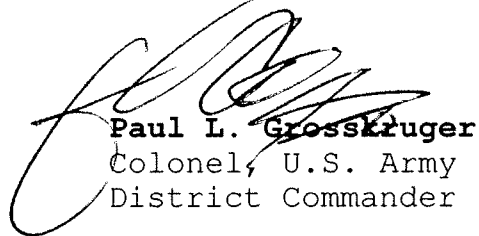
**Andrew W. Phillips**  
Project Manager

**REVIEWED BY:**



**Irene F. Sadowski**  
Chief, Cocoa Permits Section

**APPROVED BY:**



**Paul L. Grosskruger**  
Colonel, U.S. Army  
District Commander